

*Guildhall, London.*

INSTRUCTIONS;

GIVEN

To the Twelve New Lights

That Lately Sprung up in

*G—H—London;*

And now made Publick for the Benefit of  
those that are to Succeed Them:

ADDRESSED

TO THE

Flourishing Party.

To which is added,

A DISCOURSE concerning LIBELS.

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*Dat veniam corvis vexat Censura Columbas. Juv.*

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L O N D O N :

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# INSTRUCTIONS;

G I V E N

To the Twelve New Lights

That lately Sprung up in

*G—H— London ;*

And now made Publick for the Benefit of  
those that are to Succeed them, &c.

*Gentlemen,*

**S**INCE it is necessary for the Well-being and Advancement of all CAUSES, whether good or bad in themselves, to stick at nothing that may serve to bring about their Establishment, and every PARTY that is uppermost will secure themselves at the Expence of those over whom they have gain'd an Advantage, I flatter my self that you will not think it improper to receive some Directions upon this Head,

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that

that may prepare you for the Business you are now going upon.

I am not here to tell you, like other Common Place Authors, that upon every T — I you are to be upon your Oaths, or to dehort you from bringing in V — As that are neither consonant to Truth, Equity, or Reason ; these are Topicks that have been so often inculcated, that they are grown Threadbare and out of Date : On the contrary, I shall endeavour to enforce the Adage of *new Masters, new Laws*, and make appear, that unless a thorow Reformation succeeds every Change, People may with Justice say, They are but where they were, and have only shaken Hands with the Instruments of Mismanagement, not bid adieu to the Thing it self.

You are therefore to be informed, that whatsoever Methods some Person's Predecessors have taken, those ought to be avoided ; and be likewise given to understand, that if Moderation, Patience, and Humanity, were the steps they went by, you are to think of nothing but Sanguinary doings, Fines, and Imprisonments, else  
you



you are but in the same condition as you were some years ago.

'Tis true indeed, that Complaints of these violent Proceedings, formerly, gave being to a certain Revolution ; and it was adjudg'd Cause enough for a Prince his Dethronement, that he had been Merciless in his Punishments and Prosecutions ; had broken through the Great Law of *Magna-Charta* in his Pecuniary-Mulcts ; and had stretch'd Words into Treasons and Misdemeanours, by forc'd and constrain'd *Innuendoes* : But what of all this? *INNUE-NDONES* are Necessary Things, and where you cannot find a meaning, you must make one. G——t at all Times must be construed *Government* ; and A——n upon all occasions is to be accounted *Administration*. If at any time a Person's Character is attack'd, who is invested with any Office or Place of Trust, you are to bring it in, That the *Government* is spoken opprobriously of. And tho' the Law is open for such as are injur'd in their Reputations, to bring their Personal Actions against Defamers, it is most certainly your Duty to say, That it is an open Affront to the Legislature, when

when any one Member of it is insulted, and affirm, that it is a Mis——.

The Council on the side of the Defendants, may, perhaps, urge in behalf of their Clients, that it was otherwise in former Reigns, and appeal to Precedents; in particular that of the late King *James*, who in his Brother King *Charles* the Second's Time, was so far from being thought any part of the Government, (tho' the immediate Successor to the Crown) that when Mr. *Pilkington* said upon the News of his being to come into the City, *What is he coming to Burn it again?* he was told by the most able Council in those Days, the most regular way for him to proceed against him, was by an Action of *Scandalum Magnatum*, which Advice he follow'd, as is to be seen by the Tryal at Law that follow'd, and the Damage of a Hundred Thousand Pounds, which was given him upon that Occasion. But as there are Precedents likewise to be produced, where the M——rs have been deem'd the Government, in several late Tryals; particularly one, where the Accusing of the D—— of M—— and the late Treasurer, of Lukewarmness for the Church Establish'd,

Establish'd, was thought to be an Invektive against the Q—, as if the Church was in Danger during H— Administration; so I have it in Command to acquaint you, that you are to adhere to the last, without taking any notice of the first.

Here it is possible I may be interrupted, and told, That was a Whiggish Prosecution, and not an Example for Tory Management. To this I Answer, That some of the Persons that carried it with a high Hand in those Days, are not Incapacitated from doing the same in These; and the very Men that made it Criminal to say *The Church was in Danger* at one time, have set a Mark of Infamy upon such as have affirm'd it not to be in that Perillous condition at another; and therefore it is but fitting that you go along with them in their Sentiments, tho' they have not always kept Company with themselves, and to remember, that the way to be thought well of, by a prevailing Party, is to shew by an implicate Obedience, that you think well of them.

In the next place, you are to consider that, tho' in your Baptismal Vow, as  
Members

Members of the Church Establish'd, you hold your selves obliged *to renounce the Devil and all his Works, &c.* you are upon some Occasions to be absolved for the Non-observance of it, and to remember, that notwithstanding he *has been a Lyar from the beginning*, he may not be so *to the end*, but that his Testimony ought to be accepted as of great Validity and Strength, especially in Cases of Emergency, where there is great need of the DEVIL'S Assistance.

You are also to be reminded, that tho' Writing and Reading are Qualifications necessary to make a compleat Gentleman, they are not altogether requisite towards the Formation of a compleat Evidence; since a Person that cannot distinguish one Letter from another, may be allow'd to be *probus & legalis*, in relation to his Affe-  
 veration of this or that Hand Writing; and he that never saw a Man put Pen to Paper, may affirm that the Contents of it are actually of his Inditing.

It is likewise very far from being improper that you should be instructed in another point, (*viz.*) That Expressions next  
 to



to Treasonable in one Man, do no ways invalidate that Man's Testimony against another for Words of little or no significance; and that he is not less culpable and blame-worthy, who, out of fear, least the Pretender should come and introduce Popery among us, lets fall some ill-guarded and warm surmises, than he that actually Wishes him here, and *Hopes it will not be long before the Mass Houses are as full as the Churches.*

But above all, you are earnestly desired to remember, that as there is a Maxim in our Law, *That Kings can do no Wrong*, so neither can those that are subordinate to them in Offices of Trust, be Guilty of any Male-Administration. I hope, Gentlemen, you don't think I speak this in Favour of the Persons lately in Power, tho' it looks somewhat like it, for there is no Rule without its Exceptions.

As for Words, those are allow'd on all Hands to be Arbitrary, and it lies in your Breast to give them what Signification you please, so that you Act in CONCERT all as one Man, in bringing in a G— and V—. For instance, suppose

that Fellow there, who cannot be a Good Man, because he has no great esteem for Persons of my Complexion, should have the Impudence to say, (as more than one has had ) *That the Pretender has more Friends in England than some People imagine*; you would have nothing to do, but, without Bogling at the matter, instantly to conclude, He pointed at such and such particular Great Men, and in spite of all Suggestions to the contrary, Swear and Protest you were in the very inside of him, and found his Heart give his Tongue the Lie.

I know some People will say, *Where there is no Law, there can be no Transgression*, but I hope you will not be such Fools as to believe them; for as *Adam* Transgress'd before the Law was made, so the Sons of *Adam* may be Offenders, where no particular Statute calls them so. This may appear somewhat Mysterious to you that are better vers'd in Quotations from Shop Books than Texts of Scripture; but you may take it from me, that nothing has more Verity in it; and that even among the *Romans* ( to come to Profane Story ) there were Paricides that were Punish'd

Punish'd as such, when, from the beginning to the end of that Common wealth and Empire, there was no particular Law promulg'd against the perpetration of so abominable a Crime.

To explain my self further upon this Head, it is a known Assertion in the Great Law of *Magna Charta*, That *nemo tenetur prodere seipsum*, no body is oblig'd to be his own Accuser; yet if the Defendants will not own themselves Guilty, and are so hardy to stand Tryal, and say, *We do not understand their Meaning, which is of quite different tendency to what we insinuate, be it at their Peril*; you are to affirm that *We do*, and to come into the Measures that are taken to silence them, so effectually, as to let them have no Meaning at all.

I shall not deny that the Proverb is on the side of the Whigs, which says, *Losers may speak*; but we that have Power on our side, infinitely superior to whole Legions of Proverbs, declare, That speak what they will, we are Authorized to be their Interpreters; Therefore you are to give into our Sentiments, and make them consonant to theirs.

To draw towards a Conclusion, Party-Tryals, may not be improperly liken'd to those of Skill, at the Celebrated Theatre of *Hockley in the Hole*, where he that does not lay about him lustily, and give his Antagonist *Sweet Cuts* ( as they are call'd in *Bear-Garden* Language ) not only loses his share in the Box, but his Credit ; and it is the business of all Prosecutors to make their Articles good at any Rate or Expencc : The Council indeed on the part of the Defendants, may insinuate, That matters of Fact are not sufficiently made out ; That it does not appear who Wrote such and such a particular ; and that the Proof of a Libel requires stronger and more convincing Demonstrations, than what is in the Power of the Complainants to produce. But you have been already told, on whose side the power of making good every thing else lies, and are so to behave your selves in Obedience to that Power, that it may appear, you are *Twelve as good Men and True as ever* answer'd to their Names on the like Occasions.





# DISCOURSE OF LIBELS.

**A** Libel is a Thing, heinous in the very Nature of it, and pernicious in its Design; and if it be against a Magistrate, or another *Publick* Person, occasions a much greater Offence than if against one that is Private; because it concerns not only the Breach of the Peace, but also the Scandal of Government: For what greater Reproach can be laid upon a Government, than to have Wicked and Corrupt Magistrates appointed by the Sovereign for the Administration of Affairs? Or what casts a more Odious Reflection upon the State, than to suffer Men of Designing and Unjust Principles, to sit at the Helm, and Direct at the Steerage, where none but Gentlemen of Affectionate Zeal to the Well-being of  
their

their Queen and Country, should Pre-  
side? See my Lord Coke in his Fifth Re-  
port.

**Libellus Famosus**, *A Famous Libel*, is  
where a Man hath of **MALICIOUS** Purpose,  
Writ, Compounded, or set out any Thing, to  
the Infamy of another, without a Name, or  
with a Name, says Ridley, in his View of  
both Laws; and the Lord Coke, in the a-  
bove mention'd Report, *de Libellis Famo-*  
*sis*, Fol. 125. And it would not be im-  
proper for the Inquisitive, to Consult  
*B. Lambs Case*, *Cod. Lib. 9. Fol. 59. Swin-*  
*burn's Second Part, Numb 19. Cod. 9. 36.*  
*Lex Unica*, &c. And the Tryal of a Li-  
beller is by way of Indictment or Infor-  
- mation. Now the Question lies here,  
Whether the Thing that falls under our  
Cognizance, if any such in reality there  
be, is Written to a *Malicious* Purpose, or  
has taken away any Man or Woman's  
Good Name from them, so as to render  
them *Endamag'd* and *Sufferers* thereby?  
For where there is no Loss, the Law gives  
no Damage; and it being a receiv'd O-  
pinion, That ill grounded Calumnies, and  
frivolous Complaints against the Justice of  
a Cause, rather add Strength and Weight  
to

to it, than lessen it in the Good Opinion; and some of late have been called so in a Publick manner, that cannot be said to be of any detriment to it.

*De Cogitatione tua de detrahas Regi, nec in secreto Cubiculi tui Diviti maledices, quia volucres Cæli portabunt Vocem tuam, & qui habet Pennas annuncifabit sententiam;* Curse not the King, no not in thy Thought; and Curse not the Rich in thy Bed-Chamber; for the Birds of the Air shall carry the Voice, and that which hath Wings shall tell the Matter, *Eccles. 10. v. 20. Adversus me loquebantur qui sedebant in Porta, & in me Psallebant qui bibebant Vinum;* They that sate in the Gate spoke against me, and those that Drank Wine, made Songs against me, *Psalms 69. 12. Filii Stultorum & ignobilium, & in Terra penitus non Parentis, nunc in eorum Canticum versus sum, & factus eis in Proverbium;* They were Children of Fools, yea, Children of Base Men, they were viler than the Earth, and now am I their Song, yea, am I their By-word, *Job 30. 8, 9.* This was the Injunction from the Wisest of Preachers; These were the Complaints made by the Man after God's own Heart, and the greatest

Best Example of Patience which the Scripture affords us, next to that of our Saviour, and his Blessed Apostles; and it is but requisite, That such as *despise Dominion, and speak evil of Dignities, and who speak evil of those Things which they know not, Murmurers, Complainers, walking after their own Lusts, &c.* should be call'd to an Account by the Secular Power for so doing.

But as the Wisdom and Providential Care of our Legislature, has equally contributed towards the Safety of the meanest Subjects, with the Honour of the greatest Officer of State, and has provided that Justice shall be administered with all due Regard to the Well-being of Prince and People, by stated Rules for us to go by in our several Stations, so it has mark'd out what shall fall under the Denomination of a Traiterous Libel, *Scandalum Magnatum, &c.* and by several Acts of Parliament enacted and ordain'd, *That no Person shall stand Convicted, but upon clear and substantial Evidence.*

It is not enough that the Character bears a Resemblance to this or that Man's habitual



bitual Vices, that the Picture looks as if it was Copied from him ; but it must be the very same : Violent Presumptions ought to be of Force in such Inquisitions for Justice ; there must be the Name of the Persons in Vindication of whom the Indictments are brought, and the Injury it has done them produc'd in Court ; and instead of wresting a Sentence to this or that Interpretation, the Law directs it always to be construed in favour of the Defendant, where the meaning is Doubtful and Obscure.

This has been the usage of former Ages, in Cases of the like Nature, and it's presumed will be an Example for the present to go by : To which may be added, That the Press not having laid under any Restraint for many Years, and the mighty Issues that have flown from thence without Interruption, concerning the Affairs of Religion and State, may plead for its yet being made use of, till the Representative Body of the Nation shall put a stop to it by a salutary and impartial Act of Parliament. Either Laws are a Sleep or in Force : If in Force, why so many Pamphlets as the Press has teem'd with,

C

for

for more than Twenty years past, un-arriv-  
madverted upon ? If a Sleep, why such  
Clamours against those who cannot be  
Guilty of a Breach of the Law, whose  
date of continuance is past without a  
Revival ?

In the 13th and 14th of Charles the  
Second, *An Act for preventing Abuses in  
Printing Seditious, Treasonable, and Unli-  
cens'd Books and Pamphlets, and for regula-  
ting of Printing, and Printing Presses ; pro-  
vided that this Act should continue and be in  
Force for Two Years, to commence from the  
10th of June 1662, and no longer, had the  
Royal Assent. Which said Act was con-  
tinued to remain in full Force until the end  
of the next Session of Parliament, by the  
Act of the 16th and 17th of Charles II.*

By the 1st of James II. Chap. 17. seve-  
ral Acts of Parliament were revived and  
continu'd, one of which was that of the  
13th and 14th of Charles II. Chap. 33. a-  
foresaid ; Revived, and continued in Force  
from the 24th of June, in the year of our  
Lord 1685, for the space of Seven Years ;  
and from thence to the end of the next Session  
of Parliament. And by the Statute of the  
4th

4th and 5th of WILLIAM and MARY, Chap. 24. *The Act of the 13th and 14th of Charles II. Chap. 33, for Regulating Printing and Printing Presses, &c. from the 13th of February 1692, and from thence to the end of the next Session.* In the last Year likewise, the 10th of Queen ANNE, some advances were made for a further Regulation, but only a Clause was inserted in the Lottery Act, wherein it was enacted, *That the Names of the Author, Publisher, or Printer, should be affix'd to all Books and Pamphlets, under a certain Penalty.*

Now there has been no Revival nor Continuance of the 13th and 14th of Charles II. since the 4th and 5th of WILLIAM and MARY; so that King Charles the Second's Statute is not in Force: It is fast asleep, but may be awaken'd by the present Parliament; though it would be a Sin to surmise they can do any Thing that is inconsistent with the Liberty of the Subjects, who have no other way of making their Grievances known to Exalted Majesty, through the Intervention of some Persons that intercept the Royal Beams, and keep them from shedding their benign Influ-

ence on such as stand in need of them, than by this Paper Conveyance.

Wherefore omitting some Things, which favour rather of Inadvertency than Design, some Mistakes in point of Civility, and other accidents that will happen to Pens that are exasperated, and inflamed by a supposed ill Treatment; I must take the Liberty to declare, that it is beyond the Confines of my Penetration to find out, or assign the Cause of Distaste that has been taken against a certain Author, who seems to be singled out for some Person's Displeasure, when so loud and heinous Violences to good Nature and good Manners have called for their Resentments from another Party, who say, *Peace, Peace*, when there is no Peace; and cover their Intemperance of Disaffection, to the best and happiest Establishment in the World, with the Cloak of Loyalty, Religion, and Unlimited Obedience.



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